

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-14 are pending in the application, with 1, 3, 6-8, and 11-14 being the independent claims. These changes are believed to introduce no new matter, and their entry is respectfully requested. Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

***Information Disclosure Statement***

The Examiner stated that the Information Disclosure Statement ("IDS") filed April 26, 2001 fails to comply with 37 C.F.R. § 1.98(a)(3) because it did not include a concise explanation of the relevance of each patent listed therein that is not in the English language.

Each document cited in the April 26, 2001 IDS was cited in a search report by a foreign patent office in a counterpart foreign application. An English language version of the search report that indicates the degree of relevance found by the foreign office was provided with the April 26, 2001 IDS in satisfaction of the requirement of a concise explanation of relevance. See 1138 OG 37, 38. Accordingly, Applicant respectfully requests that the Examiner consider the information contained in the April 26, 2001 IDS.

***Objection to the Abstract***

The Examiner objected to the Abstract because it exceeded 150 words. The foregoing amendment reduces the number of words in the Abstract to 150. Accordingly, Applicant respectfully requests that the Examiner withdraw the objection to the Abstract.

***Claim Objections***

Claim 8 was objected to for minor informalities. The Examiner stated that in line 5 "of the base" did not make sense. "Of the base" has been changed to "on the base." Claims 8 now makes sense. Accordingly, Applicant respectfully requests that the Examiner withdraw the objection to claim 8.

***Rejections under 35 U.S.C. § 112***

Claims 6, 7, 11, and 13 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 6, the Examiner stated that in line 8 there was insufficient antecedent basis for "the joint portion." The foregoing amendment changes "the joint portion" to "a joint portion" thereby providing proper antecedent basis for this feature. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 6.

With respect to claims 7, 11, and 13, the Examiner stated that there were two different operation oil hoses in the claim and thus it was unclear which one was being referred to. Claim 7 now calls for "a first plurality of operation oil hoses" and "a second

plurality of operation oil hoses" thereby making this claim clear. Claims 11 and 13 now call for "a first operation oil hose" and "a second operation oil hose" thereby making these claims clear. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 7, 11, and 13.

***Rejections under 35 U.S.C. § 102***

Claims 3-8 were rejected under 35 U.S.C. § 102(b) as being anticipated by various documents. With respect to claims 3-6, the Examiner stated that Japanese document JP 58-30851 ("Japanese document") disclosed all the features of these claims. Applicant respectfully traverses this rejection.

Claim 3 of the present invention calls for "a boom bracket mounted on the base, the boom bracket being formed on its upper end with a pair of boom support portions and *provided below each of the boom support portions with a hose guide hole*" (emphasis added). The Examiner states that the Japanese document shows a boom bracket (8) having a pair of boom support portions (not numbered) supporting boom (9). See Japanese document FIG. 2. Additionally, the Japanese document discloses hoses (b) running between the boom support portions. However, the Japanese document fails to disclose a hose guide hole provided below each of the boom support portions, as called for in claim 3. As the Japanese document fails to disclose each and every feature of claim 3, the Japanese document fails to anticipate claim 3. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 3.

Claims 4 and 5 depend from and add additional features to claim 3. Claims 4 and 5 are therefore allowable at least for the reasons set forth above with respect to claim 3.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 4 and 5.

Claim 6 of the present invention calls for "a reinforcement member being *plastered on a joint portion* between the main body and the supported portion *of the boom*" (emphasis added). The Examiner states that the Japanese document discloses a reinforcement member (the boom hydraulic cylinder supports) being plastered on the joint portion between the main body and the supported portion of the boom. See Japanese document FIG. 2. However, the boom hydraulic cylinder supports are plastered on boom bracket (8), not a joint portion of the boom (9). In this way, the Japanese document fails to disclose each and every feature of claim 6 and therefore fails to anticipate claim 6. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 6.

With respect to claims 7 and 8, the Examiner stated that U.S. Patent No. 3,220,579 to Pilch ("Pilch") disclosed all the features of these claims. Applicant respectfully traverses this rejection.

Claim 7 of the present invention calls for "end portion connectors of the oil hoses being arranged on the upper plate portion." The "upper plate portion" being part of "a base on which the work machine is attached." The Examiner states that Pilch discloses end portion connectors arranged on the upper plate portion. Rather, Pilch discloses connectors (41) arranged on boom (19), not an upper plate portion. In this way, Pilch fails to disclose each and every feature of claim 7 and therefore fails to anticipate claim 7. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 7.

Claim 8 of the present invention now calls for "a hose taking-out opening for pulling the operation oil hose from the inside of the boom to the outside *through said pair of brackets*" (emphasis added). The Examiner states that Pilch discloses a pair of brackets (21). However, the operation oil hoses do not pass through the brackets as they move from the inside of the boom to the outside, as now claimed. In this way, Pilch fails to disclose each and every feature of claim 8 and therefore fails to anticipate claim 8. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 8.

*new limitation*

Claim 14 has been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,158,949 to Walth *et al.* ("Walth"). The Examiner stated that Walth disclosed the features claim 14. The foregoing amendment to claim 14 adds the feature that calls for the fulcrum to have a bracket with a hose running therethrough. Walth fails to disclose this feature and therefore fails to anticipate claim 14. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 14.

### ***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will

expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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